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Attorneys for Defendants
JetBlue Airways Corporation (improperly pleaded
as “JetBlue Airlines”) and Reynaldo Rodriguez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NICOLA CAFARO and CONNIE
SILLETTI-CAFARO, h/w,

Plaintiffs,

v.

REYALDO RODRIGUEZ, JETBLUE
AIRLINES; JOHN DOES 1-10 (said
names being fictitious, real names
unknown); ABC CORPS. 1-10 (said names
being fictitious, real names unknown),

Defendants.

Case No. _____

**NOTICE OF REMOVAL
AND COPIES OF ALL PROCESS AND
PLEADINGS IN STATE COURT**

TO: The United States District Court for the District of New Jersey, Newark Division

PLEASE TAKE NOTICE that Defendant JetBlue Airways Corporation (improperly named as “JetBlue Airlines”) (“hereinafter, “JetBlue”) is hereby removing the above-styled action from the Superior Court of New Jersey, Law Division, Essex County, to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. In support of this Notice, JetBlue states:

1. Plaintiffs Nicola Cafaro and Connie Silletti-Cafaro (“Plaintiffs”) filed the above-entitled action in the Superior Court of New Jersey, Law Division, Essex County, Docket No. ESX-L-3035-24, on May 3, 2024. Pursuant to 28 U.S.C. § 1446(a), a copy of the original Complaint filed in State Court is attached hereto as **Exhibit A**.

2. In this action, Plaintiffs allege that JetBlue “negligently, carelessly, and/or recklessly owned, operated, controlled, and/or maintained his/their motor vehicle so as to cause same to strike . . . Plaintiff[s’] vehicle.” (Complaint, ¶ 3). As a result, Plaintiffs maintain that they suffered and continue to suffer serious and permanent personal injuries. (Complaint, ¶ 4).

3. To date, JetBlue has not filed an Answer in this matter.

4. This Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a). By virtue of the provisions of 28 U.S.C. §§ 1441 and 1446, this entire case is one that may be removed to this Court.

5. As required by 28 U.S.C. § 1446(b), JetBlue files this Notice of Removal within thirty (30) days of receipt of proof of service, which occurred on May 16, 2024. Accordingly, removal of this action is timely. *See* Fed. R. Civ. P. 6(a)(1)(C).

6. Plaintiff is a citizen and resident of New Jersey. (*See* Complaint).

7. JetBlue is a business incorporated under the laws of the State of Delaware, with its principal place of business located in the State of New York.

8. Defendant Reyaldo Rodriguez is a citizen of the State of New York and consents to JetBlue’s removal.

9. For diversity purposes, a corporation is a citizen of the state in which it is incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). Therefore, complete diversity of citizenship existed between the parties at the time of filing.

10. A defendant's notice of removal "need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold." *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014) (citing 28 U.S.C. § 1446(a)). It is apparent from the face of the Complaint that Plaintiffs seek recovery of an amount beyond \$75,000.00 exclusive of costs and interest given that Plaintiffs allegedly suffered "serious and permanent injuries" associated with Plaintiffs' accident. (Complaint, ¶ 4).

11. Copies of this Removal Petition are simultaneously being served upon counsel for all parties of records and the State Court from which this action was removed.

12. Pursuant to 28 U.S.C. § 1446(d), JetBlue is filing a written Notice of the Filing of the Removal with the Clerk of the Superior Court of New Jersey, Law Division, Essex County, along with a copy of this Notice of Removal. These papers are being served upon Plaintiff's counsel as required by 28 U.S.C. § 1446(d).

13. 28 U.S.C. § 1446(a) requires a removing party to provide this Court with a copy of all "process, pleadings and orders" served on it in the state court action. As noted above, true and correct copies of these documents are attached hereto as **Exhibit A**.

WHEREFORE, JetBlue prays that this cause proceed in this Court as an action properly removed hereto.

Respectfully submitted,

McCARTER & ENGLISH, LLP

Attorneys for Defendants

*JetBlue Airways Corporation (improperly pleaded
as "JetBlue Airlines") and Reyaldo Rodriguez*

By: s/ Edward J. Fanning, Jr.
Edward J. Fanning, Jr.

Dated: June 13, 2024

Exhibit A

GILL & CHAMAS, LLC

By: *WILLIAM A. BOCK, ESQ.*

ATTORNEY ID: 006232007

655 Florida Grove Road,

P.O. Box 760

Woodbridge, New Jersey 07095

T: (732) 324-7600

Attorneys for Plaintiff (s)

NICOLA CAFARO and CONNIE SILLETTI-CAFARO, h/w, Plaintiff, vs. REYALDO RODRIGUEZ, JETBLUE AIRLINES, JOHN DOES 1-10 (said names being fictitious, real names unknown); ABC CORPS. 1-10 (said names being fictitious, real names unknown), Defendants.	SUPERIOR COURT OF NEW JERSEY ESSEX COUNTY – LAW DIVISION DOCKET NO.: ESX- <u>Civil Action</u> COMPLAINT AND JURY DEMAND
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The plaintiffs, Nicola Cafaro and Connie Silletti-Cafaro, residing in Hoboken, County of Hudson, State of New Jersey, by way of Complaint against the defendants say:

FIRST COUNT

1. On or about July 13, 2022, plaintiff Nicola Cafaro was operator of a tug vehicle which was traveling at or near AOA (air operations area) Gate #55 of the Newark Liberty Airport, in the City of Newark, County of Essex and State of New Jersey.

2. At the time and place aforesaid, defendant Reynaldo Rodriguez, JetBlue Airlines, John/Jane Does 1-10 (said names being fictitious, real names unknown) and/or ABC Corps., 1-10 (said names being fictitious, real names unknown), was/were the

owner/operator of a tug vehicle, which was also traveling at or near AOA (air operations area) Gate #55 of the Newark Liberty Airport, in the City of Newark, County of Essex and State of New Jersey.

3. At the time and place aforesaid, defendants Reynaldo Rodriguez, JetBlue Airlines, John/Jane Does 1-10 (said names being fictitious, real names unknown) and ABC Corps., 1-10 (said names being fictitious, real names unknown), negligently, carelessly and/or recklessly owned, operated, controlled and/or maintained his/their motor vehicle so as to cause same to strike the Plaintiff's vehicle.

4. As a direct and proximate result of the negligence of the defendants as aforesaid, plaintiff Nicola Cafaro has suffered serious and permanent personal injuries; he has and will in the future be caused to suffer great pain; he has and will in the future be required to expend large sums of money for the medical care and treatment of his injuries; he has been and will in the future be unable to pursue his normal daily activities as before; and he has and will in the future lose large sums of money in wages.

WHEREFORE, Plaintiffs demand judgment against the defendants, either jointly, severally or in the alternative for damages together with interest and costs of suit.

SECOND COUNT

1. Plaintiffs repeat and re-allege each and every paragraph of the First Count of the Complaint and make the same a part hereof by reference thereto.

2. At the time and place aforesaid, defendants JetBlue Airlines, John Does 1-10 (said names fictitious, real names unknown) and/or ABC Corps. 1-10 (said names fictitious, real names unknown), did so negligently, carelessly, and/or recklessly entrust

his/their motor vehicle to defendant Reynaldo Rodriguez; and/or John Does 1-10 (said names fictitious, real names unknown).

3. At the time and place aforesaid, defendants JetBlue Airlines, Reynaldo Rodriguez and/or John Does 1-10 (names fictitious, real names unknown), was/were agents, servants and/or employees of defendants John Does 1-10 (said names fictitious, real names unknown) and/or ABC Corps. 1-10 (said names fictitious, real names unknown). Defendants John Does 1-10 (said names fictitious, real names unknown) and/or ABC Corps. 1-10 (said names fictitious; real names unknown), are/were responsible for the actions of his/their agents, servants, and or employees and as such are liable under a theory of *Respondeat Superior*.

4. As a direct and proximate result of the negligence of the defendants as aforesaid, plaintiff Nicola Cafaro has suffered serious and permanent personal injuries; he has and will in the future be caused to suffer great pain; he has and will in the future be required to expend large sums of money for the medical care and treatment of his injuries; he has been and will in the future be unable to pursue his normal daily activities as before; and he has and will in the future lose large sums of money in wages.

WHEREFORE, Plaintiffs demand judgment against the defendants, either jointly, severally or in the alternative for damages together with interest and costs of suit.

THIRD COUNT

1. Plaintiffs repeat and re-allege each and every paragraph of the Complaint and make the same a part hereof by reference thereto.

2. At the time and place aforesaid, defendants JetBlue Airlines, John Does 1-10 (said names fictitious, real names unknown) and/or ABC Corps. 1-10 (said names fictitious, real names unknown), did so negligently, carelessly, and/or recklessly hired, trained and/or supervised defendant Reynaldo Rodriguez; and/or John Does 1-10 (said names fictitious, real names unknown).

3. As a direct and proximate result of the negligence of the defendants as aforesaid, plaintiff Nicola Cafaro has suffered serious and permanent personal injuries; he has and will in the future be caused to suffer great pain; he has and will in the future be required to expend large sums of money for the medical care and treatment of his injuries; he has been and will in the future be unable to pursue his normal daily activities as before; and he has and will in the future lose large sums of money in wages.

WHEREFORE, Plaintiffs demand judgment against the defendants, either jointly, severally or in the alternative for damages together with interest and costs of suit.

FOURTH COUNT

1. Plaintiffs repeat and reallege each and every paragraph of the Complaint and makes the same part hereof by reference thereto.

2. At all times relevant, hereto, plaintiff Connie Cafaro was the lawful wife of plaintiff Nicola Cafaro, and as such, is entitled to his services, society and consortium.

3. As a direct and proximate cause of negligence, carelessness and/or recklessness of the defendants as aforesaid, and the resultant injuries to plaintiff Nicola Cafaro, plaintiff Connie Cafaro became deprived of the services, society and consortium of plaintiff Eric Shaw.

WHEREFORE, plaintiff demands judgment against the defendants with jointly, severally, or in the alternative for damages, together with interest and costs of suit.

JURY DEMAND

PLEASE TAKE NOTICE THAT plaintiff demands a trial by jury as to all issues.

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE THAT the plaintiff hereby designates William A. Bock, Esq. as trial counsel for the within matter.

DEMAND FOR INSURANCE INFORMATION

PURSUANT TO R 4:10-2(b), demand is hereby made that you disclose to the undersigned whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part of all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

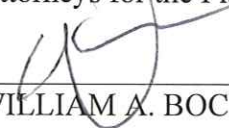
YES () NO ()

If the answer is "yes" attach a copy of each or in the alternative state, under oath or certification (a) number (b) name and address of insurer or issuer (c) inception and expiration dates (d) names and addresses of all persons insured thereunder (e) personal injury limits (f) property damage limits (g) medical payment limits (h) name and address of person who has custody and possession thereof (i) where and when each policy or agreement can be inspected and copied.

DEMAND FOR ANSWERS TO INTERROGATORIES

Pursuant to Rule 4:17-1(b), the plaintiff hereby demand that the defendants provide Answers to Uniform C and C (1) Interrogatories of Appendix II of the Rules governing the State of New Jersey.

GILL & CHAMAS, LLC.
Attorneys for the Plaintiff (s)


By: 
WILLIAM A. BOCK

CERTIFICATION PURSUANT TO R.4:5-1

I, WILLIAM A. BOCK, does hereby certify as follows:

1. I am an attorney at law of the State of New Jersey and am a member of the firm and as such, I am fully familiar with same.
2. To the best of my knowledge, confirmation and belief, there is no other action pending about the subject matter of this Complaint in the Superior Court of New Jersey, Law Division, Essex County. Additionally, there are no other persons known to me who should be added as parties to this matter, nor are there any other actions contemplated.
3. I do hereby certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

GILL & CHAMAS, LLC.
Attorneys for the Plaintiff (s)

By: 
WILLIAM A. BOCK, ESQ.

Dated: 5/2/24

ESSEX COUNTY - CIVIL DIVISION
SUPERIOR COURT OF NJ
465 MARTIN LUTHER KING JR BLVD
NEWARK NJ 07102

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (973) 776-9300
COURT HOURS 8:30 AM - 4:30 PM

DATE: MAY 03, 2024
RE: CAFARO NICOLA VS RODRIGUEZ REYNALDO
DOCKET: ESX L -003035 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON ROSELYN HOLMES-GRANT

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (973) 776-9300 EXT 57110.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: WILLIAM A. BOCK
GILL & CHAMAS LLC
655 FLORIDA GROVE RD
P.O. BOX 760
WOODBIDGE NJ 07095

ECOURTS

NÍCOLA CAFARO, ET AL

Plaintiff

VS

REYALDO RODRIGUEZ, ET AL

Defendant



20240503142740

Superior Court Of New Jersey

ESSEX Venue

Docket Number: ESX L 3035 24

Person to be served (Name and Address):

JETBLUE AIRLINES
21-01 QUEENS PLAZA NORTH
LONG ISLAND CITY NY 11101
By serving: JETBLUE AIRLINES

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served: SUMMONS AND COMPLAINT, CIS, DEMAND, CERTIFICATION

Service Data: ☒ Served Successfully ☐ Not Served

Date/Time: 5/16/2024 10:58 AM

☐ Delivered a copy to him/her personally

☐ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

☒ Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. (indicate name & official title at right)

Name of Person Served and relationship/title:

Lincoln G.
Cherk

Description of Person Accepting Service:

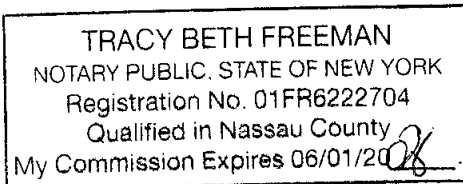
SEX: M AGE: 36 HEIGHT: 5'6" WEIGHT: 161 SKIN: white HAIR: brown OTHER: _____

Unserved:

- ☐ Defendant is unknown at the address furnished by the attorney
☐ All reasonable inquiries suggest defendant moved to an undetermined address
☐ No such street in municipality
☐ Defendant is evading service
☐ Appears vacant
☐ No response on:

Date/Time: _____
Date/Time: _____
Date/Time: _____

Other: _____



To Be Used Where Electronic Signature Not Available

Served Data:

Subscribed and Sworn to me this

17 day of May, 2024

Notary Signature: _____

Name of Notary

Commission Expiration

Document Court Approved E-Signature

I, Steve Kemp
was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

Date

5/17/2024

Name of Private Server: _____ Address: 2009 Morris Avenue UNION, NJ 07083 Phone: (800) 672-1952

NICOLA CAFARO, ET AL

Plaintiff

vs

REYALDO RODRIGUEZ, ET AL

Defendant



20240503142534

Superior Court Of New Jersey

ESSEX Venue

Docket Number: ESX L 3035 24

Person to be served (Name and Address):

REYNALDO RODRIGUEZ
2015 CRESTON AVENUE, #3E
BRONX NY 10453

By serving: REYNALDO RODRIGUEZ

Attorney: WILLIAM A. BOCK, ESQ.

Papers Served: SUMMONS AND COMPLAINT, CIS, DEMAND,
CERTIFICATION

Service Data: ☒ Served Successfully ☐ Not Served

Date/Time:

5/13/2024 10:25 AM

☐ Delivered a copy to him/her personally

☒ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

☐ Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. (indicate name & official title at right)

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Name of Person Served and relationship/title:

Maria Rodriguez
Co-tenant

Description of Person Accepting Service:

SEX: F AGE: 65 HEIGHT: 5'4" - 5'8" WEIGHT: 132 - 160 SKIN: olive HAIR: brown OTHER: _____

Unserved:

- ☐ Defendant is unknown at the address furnished by the attorney
☐ All reasonable inquiries suggest defendant moved to an undetermined address
☐ No such street in municipality
☐ Defendant is evading service
☐ Appears vacant
☐ No response on:

Date/Time: _____
Date/Time: _____
Date/Time: _____

Other:

TRACY BETH FREEMAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FR6222704
Qualified in Nassau County
My Commission Expires 06/01/20 28

To Be Used Where Electronic Signature Not Available

Served Data:

Subscribed and Sworn to me this

13 day of May, 20 24

Notary Signature: _____

Name of Notary

Commission Expiration

DocuSign Court Approved E-Signature

I, Tara Haddock,
was at the time of service a competent adult, over the age of 18 and
not having direct interest in the litigation. I declare under penalty of
perjury that the foregoing is true and correct.

Signature of Process Server

Date

5/13/2024

Name of Private Server: _____ Address: 2009 Morris Avenue UNION, NJ 07083 Phone: (800) 672-1952